



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII  
324 EAST ELEVENTH STREET  
KANSAS CITY, MISSOURI - 64106

*Compliance  
Issue*

MAR 6 1984

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Howard Jerome  
Technical Director  
Spatz Paint Industries, Inc.  
1601 North Broadway  
St. Louis, Missouri 63102

  
R00352571  
RCRA RECORDS CENTER

EPA I.D. No. MODO01939735

Dear Mr. Jerome:

LETTER OF WARNING

On January 6, 1984, the U.S. Environmental Protection Agency (EPA) sent you a letter by certified mail, which was received by Spatz Paint Industries, Inc., on January 12, 1984 (copy attached). This letter requested, within 30 days of receipt of the letter, that Spatz Paint Industries, Inc., submit documentation concerning the compliance status of this facility with federal and state hazardous waste handling requirements. As of this date EPA has received no reply to our letter from Spatz Paint Industries, Inc.

This letter is to once again request, within 10 days of receipt of this letter, that Spatz Paint Industries, Inc., adequately respond to the requests in EPA's letter of January 6, 1984.

Failure to respond to this request in a timely manner could lead to EPA initiating an enforcement action pursuant to Section 3008 of the Resource Conservation and Recovery Act (RCRA).

If you have any questions concerning this matter, please call David Doyle, of my staff at 816/374-7133.

Sincerely yours,

*Carl M. Walter*

*per* David A. Wagoner  
Director, Air and Waste Management Division

Attachment

cc: Art Groner and Sandy Carroll  
Missouri Department Natural Resources

EPA-ARWM/WMBR

MAR 6 1984

Region VII K.C., MO



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324 EAST ELEVENTH STREET  
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JAN 6 1984

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Howard Jerome  
Technical Director  
Spatz Paint Industries, Inc.  
1601 North Broadway  
St. Louis, Missouri 63102

EPA I.D. Number MOD001939735

Dear Mr. Jerome:

On September 20, 1983, the Missouri Department of Natural Resources (MDNR) referred to the U.S. Environmental Protection Agency (EPA) information concerning on-going violations of federal and state hazardous waste regulations at Spatz Paint Industries, Inc.. This referral was initiated both by the inability of Spatz Paint to store ignitable hazardous waste greater than 50 feet from the plant property boundary, due to the physical configuration of plant property, in violation of 40 C.F.R. §262.34(a)(1), §265.176, and 10 CSR 25-7.050(3)(G), and the inability of MDNR to grant a variance to state regulations for such a situation.

Based on EPA's review of this situation we are requesting that, within 30 days of receipt of this letter, Spatz Paint have the hazardous waste storage area inspected by a city fire marshall for compliance with local fire codes and ordinances. This inspection should be geared towards compliance with local fire codes taking into account the maximum quantity of ignitable hazardous waste to be stored at this site at any one time in the future. If the fire marshall approves such storage at this location, Spatz Paint should submit to EPA a letter signed by the city indicating their approval of such storage. If the fire marshall does not approve such storage then Spatz Paint should either, determine at what location and what quantity of hazardous waste the fire marshall will approve storage of this waste or if this is not possible construct a storage facility to store this waste that will insure compliance with local fire codes.

*Alfetta -  
see p 2 - we  
look care of this  
didn't we ?  
ph*



Our review of the letter to you from MDNR, dated June 27, 1983, and your response to this letter dated July 18, 1983, indicates that the documentation requested by MDNR was not submitted as requested. It is requested that within 30 days of receipt of this letter, the following information be submitted both to MDNR and EPA:

- (1) Information required by 10 CSR 25-7.011 (6)(B)(12) and (13) concerning personnel training and records of that training; and
- (2) A copy of the facility contingency plan, as required by 10 CSR 25-7.011(5).

Finally we have, based on the MDNR inspection at Spatz Paint, reassessed this facility's status in the Federal Resource Conservation and Recovery Act (RCRA) system. Although the xylene that is generated is recycled, this waste is not exempt from regulation if it is stored on-site or transported prior to storage or re-cycle. Please refer to 40 C.F.R. §261.6(b) for this requirement. Based on this we are rescinding our status change letter dated June 17, 1983, and re-classifying Spatz Paint as a hazardous waste generator.

Please submit all requested information to David Doyle, Air and Waste Compliance Branch, U.S. EPA, 324 East Eleventh Street, Kansas City, Missouri 64106.

Failure to respond to this request in a timely manner could lead to further enforcement action pursuant to Section 3008 of RCRA.

If you have any questions concerning this matter, please call Mr. Doyle at 816/374-7133.

Sincerely yours,

*William C. Sprad*

David A. Wagoner  
Director, Air and Waste Management Division

cc: Stan Jorgensen and Sandy Carroll  
Missouri Department Natural Resources



## ROUTING AND TRANSMITTAL SLIP

Date

12/28/83

TO: (Name, office symbol, room number,  
building, Agency/Post)

Initials

Date

1.

*Alzetta*

2.

3.

4.

5.

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

## REMARKS

*Please reinstate Spatz as  
a generator due to a  
state compliance action.  
MO DDO 1939735*

*reinstituted abg*

DO NOT use this form as a RECORD of approvals, concurrences, disposals,  
clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

Room No.—Bldg.

Phone No.

5041-102

OPTIONAL FORM 41 (Rev. 7-76)  
Prescribed by GSA  
FPMR (41 CFR) 101-11.206

PS Form 3811, Dec. 1983

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 (The restricted delivery fee is charged in addition to the return receipt fee.)

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3. **ARTICLE ADDRESSED TO:**  
 Mr. Harold Jerome  
 1601 N. Broadway  
 St. Louis, Mo 63102

4. **TYPE OF SERVICE:**  
☐ REGISTERED ☐ INSURED  
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 P 495  
 134 191

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*Theresa Harris*

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ST. LOUIS, MO  
 JUN 13 1983  
 HENRY M. WHEELER

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RETURN  
TO



U.S. EPA-Waste Management Branch  
324 East 11th Street  
K. C., MO 64106

(Name of Sender)

(Street or P.O. Box)

Attn: B. Harris

(City, State, and ZIP Code)